

UNITED STATES DISTRICT COURT
for the
MIDDLE DISTRICT OF TENNESSEE

U.S.A. vs. Lucretia Neal

Docket No. 0650 3:12CR00058 - 1

Petition for Action on Conditions of Pretrial Release

COMES NOW Daniel S Blackledge-White, PRETRIAL SERVICES OFFICER
presenting an official report upon the conduct of defendant Lucretia Neal
who was placed under pretrial release supervision by the Honorable E. Clifton Knowles
sitting in the Court at Nashville, Tennessee, on April 02, 2012, under the following
conditions: Please reference the attached Order Setting Conditions of Release.

Respectfully presenting petition for action of Court and for cause as follows:
Please reference page two of this document.

I declare under penalty of perjury that the foregoing is true and correct.

Daniel S Blackledge-White	<u>Nashville, TN</u>	<u>August 2, 2012</u>
U.S. Pretrial Services Officer	Place:	Date:
Next Scheduled Court Event	<u>Sentencing Hearing</u>	<u>November 02, 2012</u>
	Event	Date

PETITIONING THE COURT


- | | |
|---|---|
| <input type="checkbox"/> No Action | <input checked="" type="checkbox"/> To issue an order setting a hearing on the petition |
| <input type="checkbox"/> To Issue a Warrant | <input type="checkbox"/> Other |

THE COURT ORDERS:

- ☐ No Action
☐ The Issuance of a Warrant.
 ☐ Sealed Pending Warrant Execution
 (cc: U.S. Probation and U.S. Marshals only)
☐ Other

☒ A Hearing on the Petition is set for
September 5, 2012 1:30 p.m.
Date Time

Considered and ordered this 16th day
of August, 2012, and ordered filed
and made a part of the records in the above
case.


Honorable Kevin H. Sharp
U. S. District Judge

Honorable Kevin H. Sharp
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Petition for Action on
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On April 2, 2012, defendant Lucretia Neal appeared before the Honorable E. Clifton Knowles for an Initial Appearance as result of being charged with violating Title 21 U.S.C. §§ 841(a)(1), Distribution of Crack Cocaine.

Upon commencement of the hearing, the Government recommended that the defendant be released to Pretrial Supervision with conditions. The Court granted the Government's motion for release.

Special Conditions of Release:

Please reference the attached Order Setting Conditions of Release.

VIOLATION(S):

Violation No. 1: Maintain or actively seek verifiable employment.

On July 1, 2012, the defendant alerted the supervising officer that her employment assignment had ended. She was instructed to obtain a job and provide this office with proof of same. As of this date, the defendant has not provided proof of current employment and has failed to provide proof that she is actively seeking employment.

Violation No. 2: Failure to refrain from the use or unlawful possession of a narcotic drug or other controlled substances defined in 21 U.S.C. § 802, unless prescribed by a licensed medical practitioner; defendant shall notify Pretrial Services of any medication prescribed by a physician:

On April 4, 2012, the supervising Pretrial Services Officer conducted a home visit during which time the defendant advised she smoked marijuana on the previous day.

On April 9, 2012, the defendant reported to the U.S. Probation and Pretrial Services Office and submitted a urine screen which was presumptive positive for benzodiazepines and marijuana. Mrs. Neal admitted that approximately three days prior and subsequent to the home visit conducted on April 4, 2012, she smoked marijuana and ingested Lortab and Xanax. The specimen was sent to Alere Laboratories (Alere), located in Gretna, Louisiana, and confirmed positive on April 13, 2012.

The defendant submitted a urine screen on April 18, 2012, which was negative for all substances. She also submitted a urine screen on April 23, 2012, which was confirmed positive for marijuana on May 1, 2012.

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On June 18, 2012, Mrs. Neal submitted a urine screen which was presumptive positive for cocaine. The specimen was submitted to Alere, and on June 20, 2012, the specimen was returned negative for all substances.

Violation No. 3: Participate in a program of inpatient or outpatient substance abuse therapy and counseling if deemed advisable by the Pretrial Services Office or supervising officer.

On July 18, 2012, the defendant failed to report to her scheduled substance abuse counseling session. She informed Pretrial Services that she forgot to attend the session. Mrs. Neal also failed to report for her counseling session scheduled for the afternoon of August 2, 2012.

Violation No. 4: Refrain from obstructing or attempting to obstruct or tamper, in any fashion, with the efficiency and accuracy of any prohibited substance testing which is required as a condition of release.

On June 25, 2012, the defendant submitted a urine screen that was diluted. She advised the supervising officer she consumed a large amount of water on that day in preparation for an ultrasound. Mrs. Neal could not provide a doctor's excuse, and she later admitted she last saw her physician on June 18, 2012.

On July 24, 2012, the defendant submitted a urine screen which was submitted to Alere for analysis. The specimen was returned on July 28, 2012, and it was noted "specimen invalid, not consistent with normal human urine."

Violation No. 5: Report as soon as possible, and within 48 hours, to the pretrial services office or supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.

On July 27, 2012, Supervisory U.S. Probation Officer W. Burton Putman received information the defendant had contact with the Lebanon Police Department, in Lebanon, Tennessee, earlier in the day. Mrs. Neal failed to advise either Mr. Putman or the supervising Pretrial Services Officer of this encounter.

Current Status of Case:

On May 31, 2012, the defendant entered a plea of guilty. Her sentencing hearing is scheduled for November 2, 2012, at 2:30 p.m.

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Probation Officer Action:

On April 4, 2012, Mrs. Neal was placed in Phase I of the U.S. Probation Office's Code-a- Phone program, a program whereby defendants call daily to ascertain whether they need to report to the U.S. Probation and Pretrial Services Office to submit a urine screen.

Mrs. Neal also participates in substance abuse counseling, receives mental health treatment, medication monitoring, and case management.

On April 26, 2012, a Petition for Action on Conditions of Pretrial Release was submitted to U.S. Magistrate Judge E. Clifton Knowles alleging the defendant tested positive for illegal substances on two separate occasions. Additionally, Mrs. Neal failed to attend her substance abuse intake appointment.

On May 18, 2012, the violation was taken under advisement for 30 days to allow defendant Neal to come into compliance. She completed her drug and alcohol assessment, began substance abuse treatment, had no positive urine screens, and obtained employment.

On June 18, 2012, the violation hearing was continued to allow for results of a positive urine screen that the defendant submitted on the same date. As the urine screen was negative for the presence of illegal substances or narcotics, a second Petition for Action on Conditions of Pretrial Release was not submitted to Judge Knowles.

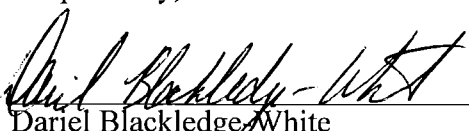
On July 6, 2012, the defendant was encouraged to report for her urine screens in the morning to prevent any further problems. Further, this officer has encouraged Mrs. Neal to obtain gainful employment, refrain from drug use, and minimize her involvement with questionable associates.

Respectfully Petitioning the Court as Follows:

As Mrs. Neal continually fails to comply with several conditions of her supervision, it is respectfully recommended that the Court issue an Order setting a hearing on this Petition for Action.

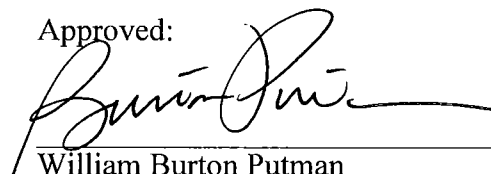
Assistant U.S. Attorney Braden Boucek was contacted and concurs with this recommendation.

Respectfully,



Darrel Blackledge-White
U.S. Probation Officer

Approved:



William Burton Putman
Supervisory U.S. Probation Officer